UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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FEDERAL DEPOSIT INSURANCE CORPORATION INIT'S CAPACITY AS RECEIVER OF INDYMAC BANK, FSB.

Plaintiff,

- against –

DUSTIN DENTE, GEORGE GULDI, AND ULTIMATE TITLE & ABSTRACT, LLC.

Defendants.

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Case No.: CV 09 1583 (LDW) (WDR)
Affidavit in Opposition

George O. Guldi, being duly sworn deposes and says:

1. I am the defendant in this action and I make this affidavit in opposition to the within order to show cause and attachment proceeding.

2. I am an attorney duly admitted to practice law before the Courts of the State of New York and I am admitted to practice before the Courts of the Eastern District of New York.

3. I have reviewed the papers submitted herein and I am certain that I never acted as counsel in connection with any of the real estate transactions listed in this action, never appeared at any of the loan closings listed, and never authorized anyone to use my name in connection with any of these closings.

4. Out of the names listed on the attached loan documents I recognize only one, Keston. He was or still is a client of Dustin Dente and I have assisted Dente in litigation representing Lou Keston. However, I have never participated in any closing of any real estate

transaction. Note that I acted on behalf of Mr. Lou Keston, I had occasion to hear that he had a son, who was a real estate investor, but whom I never met, conversed with, or represented, or represented any seller in any contract or attended any closings with.

5. In recent days it has come to my attention that my name and a forgery of my signature have been discovered recently in connection with Court papers and other real estate transaction in which Mr. Dente was allegedly involved. Since there are no copies of what purports to be my signature attached to the present order to show cause, I can offer no information regarding the authenticity of any purported signatures in the mentioned files.

6. I never acted as Counsel, consulted any clients or collected any fees regarding any of the allegations in this complaint.

7. On the basis of the fact that I was not present, did not participate, represented no one and collected no fees, I respectfully submit that I should be dismissed from this action. I offer no documents to corroborate these facts since none exist.

8. Plaintiff's sole allegation against Guldi states:

> "George Guldi appears to have participated in converting loan proceeds, routinely acting as sellers attorney and receiving funds that IndyMac wired. Both Dente and Guldi (among others) were recently arrested and charged with grand larceny in the first degree for mortgage fraud involving the same type of conduct that Plaintiff has alleged in its complaint."

9. There exist no documents, bank transfers, or records showing any such transfers.

10. Further, a review of my escrow and operating accounts reflects no transactions, which correspond in date or amount with any of those transactions annexed to the complaint in this action. Exhibit C (though the papers served on me also seem to contain many papers from other actions in which I am not a party) references the following transactions, borrowers and dates:

Borrower	Closing Date
Keston	03 18 2008
Ligon	10 26 2007
Garg	12 18 2007
Bernard	12 26 2007
Keston	5 21 2007

(I did have one transaction with Dente between 5-11-07 when I was sent a deposit for a property purchase which deposit was returned on 5-14-07 when I was advised the deal was dead. The file for this transaction is apparently in the possession of the Suffolk District Attorney so I cannot provide the party names, but in as much as it predates the transactions involved herein I appears that the funds could not be from these subsequent transactions.)

11. Other than the Suffolk County DA's Press Release and an allegation of appearance, there is no evidence of any nature to support any claim against George O. Guldi. Without evidence, there is neither a probability of success, nor the tipping of hardships. . (The Court Should note that the press release copied here is now prohibited by the New York Code of

Professional Responsibility which new rules came into effect 6 days after the Press release herein is dated)

12. While Plaintiff argues that there is no requirement for balancing hardships there is still a requirement that they provide some evidence that I participated in these transactions and received some of the alleged proceeds of the transactions that underlie them.

13. The Papers served upon me in connection with this Order to Show Cause contain the additional allegation that "George Guldi acted as 'seller's attorney' in at least four of the loans." Without providing any documentation for such claim or even identifying the alleged loans, funds received, or how they were disbursed.

14. The annexed Summons and Complaint, however, clarifies only what loans were made and that none of the loans were made to any person know to me or with whom I ever had a conversation, attended a closing, or saw a contract of sale. While the complaint alleges that I was the attorney for Sellers, it fails to identify any of my alleged clients so I do not know if I ever represented or know any of them.

15. Further, the papers allege in Count IV that I aided and abetted their attorney Dente in the breach of his fiduciary duties. The facts will prove that I did not know of my alleged representation at these closings, I attended none of them, I received no funds in connection with them, and I received no compensation for my role as an attorney in them.

16. I am confident that upon document production I will be able to substantiate that anything provided in connection with these closings that is purportedly from me is either forged, fabricated or was obtained from me under false pretenses and will be a proper basis for a motion for summary judgment.

17. Plaintiff's argument repeatedly states that I have failed to ever offer an explanation as to the allegations in this action, but neglects to mention that prior to the service of the within order to show cause they have never attempted to contact me or inquire of me in any way.

18. For the forgoing reasons the application for an order of attachment regarding Defendant George O. Guldi should be denied in all respects and an award of exemplary cost should be made against Plaintiff and in favor of defendant for making this application in the total absence of evidence and on the appearance of a press release.

/LS

George O. Guldi Esq., (GOG 1746)
Defendant Pro Se
100 Mill Road
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Sworn to before me this
23r Day of April 2009

/LS

Notary Public